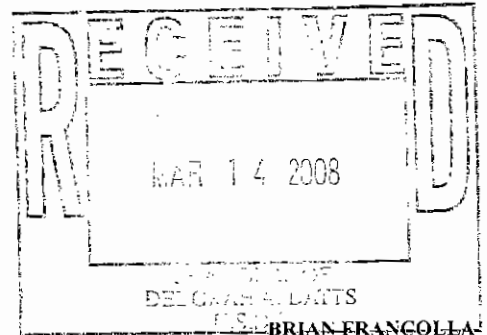


MEMO ENDORSED



MICHAEL A. CARDOZO
Corporation Counsel

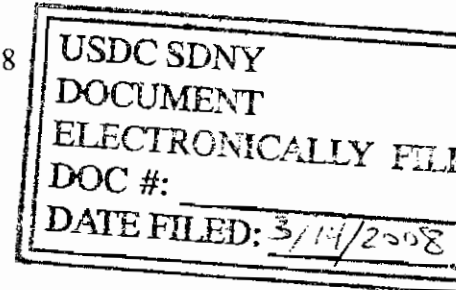
THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

BRIAN FRANGOLLA
Assistant Corporation Counsel
Tel.: (212) 788-0988
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March 13, 2008

BY HAND DELIVERY

Honorable Deborah A. Batts
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 2510
New York, New York 10007-1312



Re: John Harding v. The City of New York, et al.,
08 CV 0037 (DAB)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department assigned to handle the defense of the above-referenced matter. As Your Honor may recall, by letter dated January 28, 2008, this Office requested and was granted an extension of time until March 28, 2008 to serve and file an answer or otherwise respond to the complaint on behalf of the City of New York and the New York City Police Department.

From a review of the docket sheet, it appears that the individual identified in the caption of the complaint as Police Officer Panico may recently have been served with a copy of the summons and complaint. Accordingly, I write to respectfully request an enlargement of time until March 28, 2008 to investigate service of the summons and complaint, resolve representation issues pursuant to General Municipal Law Section 50-k, and if appropriate, to serve and file an answer or otherwise respond to the complaint on behalf of Officer Panico. Plaintiff's counsel, Ugochukwu Uzoh, Esq., consents to this request.

Pursuant to Section 50-k of the New York General Municipal Law, this Office must determine, based on a review of the case, whether we may represent Officer Panico. Officer Panico must then decide whether he wishes to be represented by this Office. See Mercurio v. The City of New York, et al., 758 F.2d 862, 864 - 65 (2d Cir. 1985) (quoting Williams v. City of New York, et al., 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law)). If so, we must obtain Officer Panico's written authorization. Only after this procedure has been followed can we determine how to proceed in this case.

MEMO ENDORSED

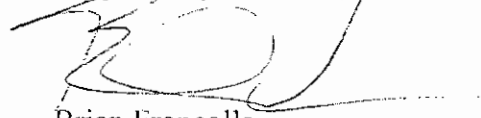
MEMO ENDORSED

3/14/2008

MEMO ENDORSED

In view of the foregoing, it is respectfully requested that the Court grant the within request. Thank you for your consideration herein.

Respectfully submitted,



Brian Francolla
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Ugochukwu Uzoh, Esq. (By fax)
Attorney for Plaintiff
Law Offices of O'Keke and Associates, P.C.
255 Livingston Street, 4th Floor
Brooklyn, NY 11217
Fax: 718-502-9953

SO ORDERED



DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE

3/14/2008

MEMO ENDORSED

MEMO ENDORSED